

FINAL



WEARE BOARD OF SELECTMEN  
MEETING MINUTES  
December 20, 2004

**PRESENT:** LAURA PETRAIN, CHAIRMAN; LEON METHOT, CO-CHAIRMAN; HELEEN KURK, SELECTMAN; THOMAS REYNOLDS, JR., SELECTMAN; DOUGLAS COOK, SELECTMAN

**TOWN ADMINISTRATOR:** ROBERT CHRISTENSEN  
**RECORDING SECRETARY:** CHERRY PALMISANO

**GUESTS:** Forrest Esenwine, Ginger Esenwine, Frank Campana, Leonard Corey, Paul Marsh, Tina Pelletier, Ken White, Richard Weed, William Quigley, Margo McLeod, Donald Burke, Matt Esenwine, Chris Hague, Jonathan Dowst, David Wilusz, Donna Meuse

**6:35 p.m. Co-Chairman Leon Methot called the meeting to order.**

**1. PUBLIC PARTICIPATION** – Mr. Frank Campana asked the Board whether or not they would place the Veterans War Credit of the March ballot. The Board stated that as of this date it has not been decided.

Mr. Campana questioned the \$9,000 raise given to Mr. Robert Christensen as the new Town Administrator. Mr. Campana questioned if the experience level of the Town Administrator justified an increase. Selectman Kurk stated that in researching thirteen towns in comparable size and the salary of other Town Administrators the \$9,000 increase was appropriate.

**2. PUBLIC HEARING** – Continuation of acceptance of Fox Hollow, Pheasant Run and Hunters End

Mr. Carl Knapp stated that the work has been done other than planting the grass and possible need for driveway repair in the spring. Mr. Knapp requested an escrow be held in case of replacement of the first driveway.

Mr. Richard Weed of JH Spain presented a deed to the Board stating that the town has own the road since Nov 4, 2002. The Warranty Deed for the Cistern still needs to be provided. The road will be bonded for 2 years after it is accepted. The warranty bond is on the road itself and does not cover the seeding that has to be done. Mr. Weed stated that the As Built Plan will be provided on December 30, 2004. Selectman Cook questioned the proper process because the deed was done back in 2002. Mr. Knapp stated that the Warranty Deed does not affect the 2 year warranty until after the deed is accepted. Mr. White stated that the deed is normally done after the As Built is done. Mr. Knapp stated that the town won't maintain the road until it is accepted by the Town.

Chairman Petrain closed public hearing at 7:01.

**Co-Chairman Methot moved, Chairman Petrain seconded, to accept the Fox Hollow Sub-division Road conditional to cash escrow account for \$3,000 for grass plantings and possible pavement repair, a**

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**warranty deed on the road, a warranty deed on the cistern, As Built Road Plan, and Bond reduction amount recommended by the Town Engineer. Passed 5-0-0.**

**3. PUBLIC HEARING** – Chairman Petrain opened the Public Hearing at 7:04 to accept Elm Drive at the request of Ken Desjardins Builders, LLC.

Chairman Petrain referred to a memo from Mr. Knapp stating that a Warranty Deed was needed and an As Built set of growth plans had to be supplied. There is a \$367 outstanding escrow that needs to be paid in full.

Chairman Petrain closed public hearing at 7:06.

**Co-Chairman Methot moved, Chairman Petrain seconded to accept Elm drive Sub-division road conditional on a set of As Built Road Plans, Warranty Deed, and payment of an outstanding Town Engineering bill of \$367.50. Passed 5-0-0.**

**4. DEPARTMENT HEADS** – Tina Pelletier brought forward a Sick Time Conversion Option from the Benefit Review Committee. The Sick Time Conversion would give the ability to an employee to convert accrued sick time above and beyond a required reserve bank of 6 weeks or (240 hours). This conversion would work as follows:

30 hours of accrued sick time converted to one 8 hour bonus day to be used toward paid time off. The converted sick time to bonus days will be payable at a straight time rate upon separation of employment with the Town. By reducing the number of accrued hours banked, the employee can begin to accrue time again. Example: Employee with 720 accrued hours of sick time minus the 240 reserve leaves 480 hours available to convert at the rate of 30 hours would yield that employee 16 bonus days to use or receive pay for at time of separation of employment. This is an option to the employee and is a way of getting recognition for not using sick time. Selectman Kurk expressed concern for employees using sick time when it's not really needed. Chairman Petrain stated that it is a way of adding a benefit to Town Employees without a cost increase. An employee must have 6 weeks of sick time in the bank before they are eligible for the conversion. The Board stated they would review the conversion and respond at a later time.

**5. SHOOTING RANGE TIRES** – Selectman Kurk stated that back in June she had received phones calls from residents and businesses in town regarding concerns with towing. Selectman Kurk had a meeting with Deputy Chief Quigley and subsequently that led to a meeting with Chief Rigney. A meeting with Chief Rigney, Deputy Chief Quigley, the two in-town towing companies and Heleen Kurk ensued. The purpose of the meeting was to improve communications and expectations between the police department and the town. At the end of the meeting Chief Rigney told Mr. Wilusz that the firing range was being expanded and they could use his tires. Mr. Dave Wilusz was concerned about Carl Knapp's reaction to seeing him bring tires down. Chief Rigney assured him that he (Chief Rigney) would speak to Mr. Knapp and work it out. Mr. Wilusz disposed of some tires at the Transfer Station without Chief Rigney discussing the arrangement with Mr. Knapp in advance. It was agreed that the tires were to be used to build a shooting range. Deputy Chief Quigley stated that as long as the range is in DES accordance then there is nothing illegal about the situation.

Dave Wilusz spoke about the position he is in at this point and the fact that he is now stuck with the 12 junk cars and has to pay to dispose of them. The Board, Mr. Knapp, and Mr. Wilusz discussed whether Mr. Wilusz would be compensated with disposal of tires or financially what is owed to him from cleanup of the property.

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It was determined that Bill Quigley will be contacting Jim Donaldson, the Town Engineer for consultation regarding the use of tires in the shooting range. The Board has agreed that in the future any work performed for the Town would be compensated financially and that the barter system would no longer be used. Mr. Wilusz will be supplying a bill to the town to dispose of the junk cars.

Mr. Knapp referred to a memo he had sent to the Board regarding the generator for the sewer station. Mr. Knapp stated that there is \$5,469 left in the sewer budget and if that money was combined with the leftover in the CIP and the 20% grant from the State then the funds for the new generator are almost met. There would not be a tax impact if the money was used from the General Fund but the Fund would be lowered.

**6. LIBRARY BUDGET** – Mr. Paul Marsh, Chairman of the Library Trustee, stated that there was no particular change in the default budget other than pay increases. Chris Hague stated that the \$3,917 increase in the 2005 budget was for pay increases. The budget has not been finalized because they are still waiting on figures for health insurance and the building insurance policy.

Mr. Marsh informed the Board of monies donated to the Library from Trust Funds and restricted accounts donated by various people which have to be approved for expenditures on the ballot and are not tax dollars.

**7. CEMETERY TRUSTEES BUDGET** – Mr. Don Burke stated that the only change in the budget was in the contracted expense of lawn care which decreased the budget by \$6,500. It was determined that \$1,000 needs to be added to the Cemetery Budget for maintenance.

**8. HEALTH AND WELFARE BUDGET** – Donna Meuse, the Health Officer, requested a \$127 pay increase which brings the Health Officer Salary to the minimum. The Health Officer budget has decreased \$21.00.

The Welfare Budget of \$48,884 represents an increase of approximately 6% due to the fact that services for next year will be distributed differently and the services will fall more on the Town.

Selectman Cook questioned Riverbend Counseling and said that he was against funding them. Selectman Cook reminded the Board that in the past townspeople have spoken that Riverbend was not beneficial to them or there families. Arguments were made as to whether Riverbend was beneficial to our Residents and if the town was obligated to pay the \$3,950 requested amount. Donna Meuse stated that if a Resident qualifies for funding, whether or not there is enough money budgeted in the town poor line, the Town is obligated by State Law to fund them.

**9. DEPUTY TREASURER DISCUSSION** – Chairman Petrain stated that they have received a legal opinion from the Local Government Center. The Local Government Center recommends that the position of Finance Administrator and the position of Deputy Treasurer not be the same individual.

It was determined that the Finance Administrator and the Deputy Treasurer, one in the same, needs to resign from one of the positions because of the conflict of interest. If the Deputy Treasurer resigns then a letter needs to be drafted and sent to the Treasurer informing him that he needs to recommend a replacement to the Board for appointment in a timely manner. If the Treasurer is unable to recommend an individual then he must fulfill his obligation as Treasurer.

**10. ELECTED POLICE CHIEF DISCUSSION** – Selectman Kurk stated that the salary has been set but the benefits have to be spelled out in writing.

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The individuals who choose to run for the position need to be certified police officers or have a 6 month extension to run for the job. The benefits of Health Insurance, Sick Time and Vacation time would be the same as all town employees. The uniform allowance and dues would fall under the Police Department Uniform Budget. Each officer will be outfitted and then extra uniforms supplied as the budget allows. Selectman Kurk questioned whether the town should take care of Liability. It was determined that Primex should be asked to provide that information.

The Board asked Mr. Christensen to look into organizing Candidates nights for the Police Chief Candidates, one sometime the week of February 7 and another one the week of the February 21.

Selectman Kurk said that the Board has to work on what type of relationship will there be between the Board and the elected Police Chief. Chairman Petrain stated that there should be a letter sent to the candidates expressing to them how they would like them work with the Board of Selectman.

### 11. MANIFESTS

**Chairman Petrain moved, Co-Chair Methot seconded to authorize the Board of Selectman to sign Manifest and order the Treasurer to sign checks dated December 23, 2004. Passed 5-0-0.**

Accounts payable	\$7,316.36
Gross Payrolls	<u>\$30,998.82</u>
Total	\$38,315.18

**Selectman signed manifests and ordered the Treasurer to sign checks dated December 16, 2004.**

Accounts Payable	\$1,267,412.49
Gross Payrolls	<u>\$ 27,843.07</u>
Total	\$1,295,255.56

Chairman Petrain questioned the Board how they felt regarding Frank Campana's request to increase the War Service Credit. The Board was in agreement to support the War Service Credit as a Warrant Article.

It was determined that the Board would meet Tuesday, December 28, 2004 at 6:00 pm to go over the budgets.

### 12. ADMINISTRATIVE REPORT

Mr. Christensen distributed the Vachon Clukay & Co. documents to be signed by the Board.

**Selectman Cook motioned, Selectman Kurk seconded to have the Chairman sign the Capital Reserve voucher for a \$900 expense. Passed 5-0-0.**

Mr. Christensen informed to the Board of a payroll check for Chief Rigney, the contract allowed for a raise as of January 1, 2004 and he never received this raise due to him.

Documents from Assessing that needed the Boards signatures were signed.

Documents for the individual who would like to purchase his land back were presented to the Board and it was determined that there needs to be a proof of deposit to show that the taxes have been paid.

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Mr. Christensen stated that they interviewed individuals for the Building Department Secretary and a unanimous candidate was agreed upon by Judy Rogers, Chip Meany and Mr. Christensen. The appointment of this individual needs to go onto the Agenda for January 3, 2005.

Chairman Petrain stated that the Town Administrator had been given new responsibilities without additional compensation due to budget restraints. A new salary was set to be effective January 1, 2005 with subsequent increases in the future due in April.

**Chairman Petrain moved, Selectman Kurk seconded to set the salary of the Town Administrator at \$49,500 effective January 1, 2005 with subsequent increases due on April 1 of those years. Passed 4-0-1. Selectman Cook does not agree with the increase or the date of January 1, 2005.**

**Chairman Petrain moved, Co-Chairman Methot seconded, to enter into nonpublic session @ 10:52 p.m. pursuant to the authority granted in RSA 91-A:3II(a&c). A roll call vote was taken. Co-Chairman Methot - yes; Selectman Reynolds - yes; Selectman Kurk - yes; Selectman Cook - yes; Chairman Petrain - yes. Passed 5-0-0.**

## **12. ADJOURNMENT**

A True Record.

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Cherry Palmisano, Recording Secretary